

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 396

REDUCING THE RATES OF IMPORT DUTY ON COMPRESSED NATURAL GAS MOTOR VEHICLES AND NATURAL GAS VEHICLE INDUSTRY - RELATED EQUIPMENT, PARTS AND COMPONENTS UNDER SECTION 104 OF THE TARIFF AND CUSTOMS CODE OF 1978 (PRESIDENTIAL DECREE NO. 1464), AS AMENDED

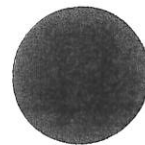
WHEREAS, the Natural Gas Vehicle Program for Public Transport (NGVPPT), which was launched on 16 October 2002, aims to enhance energy supply security in the transport sector through fuel diversification using indigenous natural gas as a clean alternative fuel for transport;

WHEREAS, Executive Order 164 (Modifying the Nomenclature and the Rates of Import Duty on Various Products Under Section 104 of the Tariff and Customs Code of 1978), issued on 10 January 2003, reduced the rates of duty on natural gas vehicle (NGV) industry-related equipment, parts and components to encourage active private sector participation in the NGVPPT in terms of providing the necessary support, logistics and infrastructure;

WHEREAS, Executive Order 290 (Implementing the Natural Gas Vehicle Program for Public Transport), issued on 24 February 2004, aims to ensure the effective implementation of the NGVPPT;

WHEREAS, import duties of 0% on compressed natural gas (CNG) motor vehicles and NGV industry-related equipment, parts and components will serve as further incentive to NGVPPT participants to invest in CNG buses and equipment;

WHEREAS, Section 401 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as amended, empowers the President of the Republic of the Philippines to increase, reduce, or remove existing rates of import duty, as well as to modify the form of duty and the tariff nomenclature, under Section 104 of the Code.



NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The articles specifically listed in Annex "A" hereof, as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be subject to the Most-Favoured-Nation (MFN) import duty for the period in accordance with the schedule indicated opposite each article.

SECTION 2. The nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol "X X X" shall remain in force and in effect.

SECTION 3. Upon the effectivity of this Executive Order, all articles listed in Annex "A" hereof which are entered or withdrawn from warehouses in the Philippines for consumption shall be levied the MFN rates of duty therein prescribed.

SECTION 4. The Department of Energy, in coordination with the Department of Trade and Industry, the National Economic and Development Authority and the Bureau of Customs, shall promulgate the implementing rules and regulations that will govern the implementation of this Executive Order.

SECTION 5. All Presidential issuances, administrative rules and regulations, or parts thereof, which are contrary to or inconsistent with this Executive Order are hereby revoked or modified accordingly.

SECTION 6. This Executive Order shall take effect thirty (30) days following its complete publication in two (2) newspapers of general circulation in the Philippines.

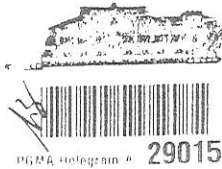
Done in the City of Manila, this 31st day of December in the year of Our Lord, Two Thousand and Four.

Gloria Arroyo

By the President:

Eduardo R. Ermita

EDUARDO R. ERMITA
Executive Secretary



Hdg.	Tariff Code	Description	Rate of Duty (%)
39.23		Articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics.	
	3923.10	- X X X	
	to		
	3923.50.90		
	3923.90 00	- Other	15*
73.11		Containers for compressed or liquefied gas, of iron or steel.	
		- Seamless steel cylinders, except for LPG:	
	7311.00.11	-- Of a capacity of less than 30 l	1*
	7311.00.12	-- Of a capacity of 30 l or more but less than 110 litres	1*
	7311.00.19	-- Other	1*
		- X X X	
	7311.00.91	-- X X X	
	to		
	7311.00.99		
76.13	7613.00.00	Aluminium containers for compressed or liquefied gas.	7*
84.07		Spark-ignition reciprocating or rotary internal combustion piston engines.	
	8407.10.00	- X X X	
	to		
	8407.29.90	- Reciprocating piston engines of a kind used for the propulsion of vehicles of Chapter 87.	
	8407.31.00	-- X X X	
	to		

* Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport.

Hdg.	Tariff Code	Description	Rate of Duty (%)
	8407.33.90		
	8407.34	- Of a cylinder capacity exceeding 1,000 cc:	
		-- Fully assembled:	
	8407.34.11	--- X X X	
	8407.34.12	--- X X X	
	8407.34.13	--- X X X	
	8407.34.19	--- Other	10*
		-- X X X	
	8407.34.21	--- X X X	
	to		
	8407.90.90		
84.09		Parts suitable for use solely or principally with the engines of heading 84.07 or 84.08.	
	8409.10.00	X X X	
		Other:	
	8409.91	- X X X	
	to		
	8409.91.79		
	8409.99	- Other:	
		-- X X X	
	8409.99.11	--- X X X	
	to		
	8409.99.39	-- For other vehicles of Chapter 87:	
		--- X X X	
	8409.99.41		
	to		
	8409.99.46		
	8409.99.49	--- Other	1*
		-- X X X	
	8409.99.51	--- X X X	
	to		
	8409.99.69		

* Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport

Hdg.	Tariff Code	Description	Rate of Duty (%)
84.14		Air or vacuum pumps, air or other gas compressors and fans; ventilating or recycling hoods incorporating a fan, whether or not fitted with filters.	
	8414.10	- X X X	
	to		
	8414.80.99		
	8414.90	- Parts:	
		-- Of electrically operated equipment:	
	8414.90.11	--- X X X	
	8414.90.12	--- X X X	
	8414.90.13	--- X X X	
	8414.90.14	--- Of subheading 8414.30, 8414.80	5*
	8414.90.19	--- Other	5*
		-- Of non-electrically operated equipment:	
	8414.90.91	--- X X X	
	8414.90.92	--- X X X	
	8414.90.93	--- Of subheadings 8414.30 and 8414.80	5*
	8414.90.99	--- Other	5*
84.21		Centrifuges, including centrifugal dryers; filtering or purifying machinery and apparatus, for liquids or gases.	
		- X X X	
	8421.11.00	-- X X X	
	to		
	8421.29.90		
		- Filtering or purifying machinery and apparatus for gases:	
	8421.31	-- Intake air filters for internal combustion engines:	
	8421.31.10	--- X X X	
	8421.31.20	--- For motor vehicles of Chapter 87	10*

* Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport.

Hdg.	Tariff Code	Description	Rate of Duty (%)
------	-------------	-------------	------------------

8421.31.90 --- X X X
to
8421.99.99

84.81

Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the like, including pressure-reducing valves and thermostatically controlled valves.

8481.10 - X X X
8481.10.10 -- X X X

to
8481.20.90

8481.30 - Check (nonreturn) valves:
-- Of iron or steel:

8481.30.11 --- X X X
8481.30.19 --- Other

5*

8481.30.21 -- Of copper or copper alloys:
--- Of 25 mm or less in internal diameter

5*

8481.30.22 --- X X X
8481.30.23 --- X X X
8481.30.29 --- Other

5*

8481.30.31 -- Of other metals:
--- X X X
8481.30.39 --- Other

5*

8481.30.41 -- X X X
--- X X X
to
8481.90.90

87.02

Motor vehicles for the transport of ten or more persons, including the driver.

8702.10 - X X X
to
8702.10.68

* Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport.

Hdg.	Tariff Code	Description	Rate of Duty (%)
	8702.90	- Other: -- For the transport of less than 16 persons: --- X X X	
	8702.90.11 to 8702.90.22B	---- X X X	
		-- For the transport of 16 persons or more but less than 30 persons: --- Motors buses:	
	8702.90.31	---- X X X	
	8702.90.32	---- CBU/Other A. X X X B. Other	20*
		--- Other:	
	8702.90.41	---- X X X	
	8702.90.42	---- CBU/Other A. X X X B. Other	20*
		-- For the transport of 30 persons and more: --- Buses designed specially for use in airport:	
	8702.90.51	---- X X X	
	8702.90.52	---- CBU/Other A. X X X B. Other	20*
		--- Other motors buses:	
	8702.90.61	---- X X X	
	8702.90.62	---- CBU/Other A. X X X B. Other	20*
		--- Other:	
	8702.90.91	---- X X X	
	8702.90.92	---- CBU/Other A. X X X B. Other	20*

 * Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport.

Hdg.	Tariff Code	Description	Rate of Duty (%)
90.26		Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flowmeters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32.	
	9026.10	- X X X	
	to		
	9026.10.90		
	9026.20	- For measuring or checking pressure:	
	9026.20.10	- - Pressure gauges for motor vehicles, electrically operated	10*
	9026.20.20	- - Pressure gauges for motor vehicles, not electrically operated	10*
	9026.20.30	- - X X X	
	to		
	9026.90.20		
90.28		Gas, liquid or electricity supply or production meters, including calibrating meters therefor.	
	9028.10	- Gas meters:	
	9028.10.10	- - Gas meters of a kind mounted in gas containers	1*
	9028.10.90	- - X X X	
	to		
	9028.90.90		
90.32		Automatic regulating or controlling instruments and apparatus.	
	9032.10	- X X X	
	9032.10.10	- - X X X	
	9032.10.20	- - X X X	
	9032.20	- Manostats:	

* Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport.

Hdg.	Tariff Code	Description	Rate of Duty (%)
	9032.20.10	-- Electrically operated	1*
	9032.20.20	-- Not electrically operated	1*
		- X X X	
	9032.81.00	-- X X X	
	to		
	9032.90.90		

* Duty free when imported with certification from the Department of Energy (DOE) that articles will be used for the Natural Gas Vehicle Program for Public Transport.